

### **REMARKS**

Applicant has amended the above-identified application responsive to the Office Action dated August 11, 2004.

In brief, Applicant has amended the drawings and claims to overcome the indefiniteness noted on pages 2 and 3, paragraphs 1-3. Additionally, the claims have been amended to overcome the prior art rejections, and additional new independent claims have been presented to incorporate the allowable features of claims 3-12.

Specifically, claims 1, 2, 4, 9, 10 and 13 have been amended, and claims 3, 7, 11 and 12 have been cancelled. New independent claims 14-17 have been cancelled, with claim 14 incorporating, into claim 1, the features of allowable claim 3 and intermediate dependent claim 2. Dependent claims 4 and 10 have been amended to switch their dependency to new claim 14.

New claim 15 incorporates, into claim 1, the features of allowable claim 11 and intermediate dependent claim 2. New claim 16 combines the features of claims 1 and allowable claim 7. Finally, new claim 17 combines the features of claim 1 and allowable claim 12.

Accordingly, only claims 1, 2 and 13 remain rejected as anticipated by the Pejathaya reference, U.S. Patent No. 6,698,837. Applicant has reviewed the Pejathaya reference and notes some distinguishing aspects of the present invention in comparison.

Specifically, the actuating lever 26 in Pejathaya (corresponding to the actuating handle 30 of the present design) in fact does not extend from the seat bottom as recited in the independent claims. Rather, the lever 26 is pivotally supported between the inner and outer plates 22 and 24 and in order to be in operable engagement with both the recliner mechanism 16a and the floor latch mechanism 18a.

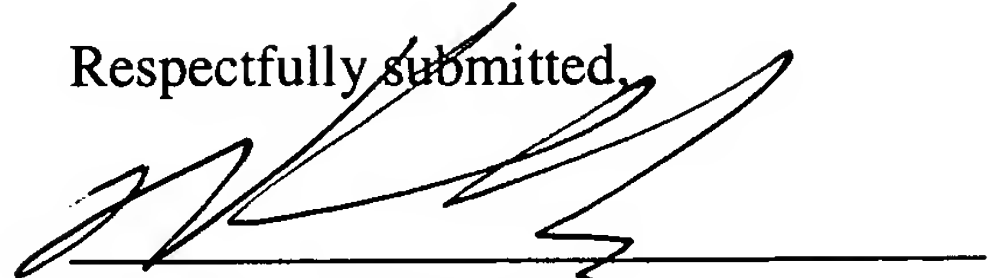
Additionally, the seat backs 20a and 20b in Pejathaya in fact each include an arcuate edge 34a, 34b. This does not however teach or suggest the plate (see at 120 in the present invention) secured in spaced and overlapping fashion to the seat back 12 at a first location and pivotable along with the seat back about an axis defined at a second location. Specifically, the seat back 12 in the present design includes a lower arcuate extending surface 18 (similar to the arcuate edge 34a of the seat back 20a in Pejathaya), the cited reference again not further including the provision of the overlappingly mounted plate 120.

Furthermore, Pejathaya does not teach or suggest a similar arrangement between the cam, floor release lever and plate, and in particular because the floor release lever is in a different location and Pejathaya again further does not include an overlapping plate secured to the seat back and to which the cam 78a in the cited reference engages. Rather, the recliner cam 78a in Pejathaya interengages with a pawl 76a into engagement with the seat-back support 20a to fix the seat back support (20a) in position.

The cam 158 in the present invention (as recited in claims 1 and 13) engages against the bottom arcuate edge of the overlapping plate 120, whereas a pawl 58 in the present invention interengages in toothed fashion the bottom arcuate extending edge of the seat back 12. For these reasons, it is submitted that the claims in the application are allowable over the Pejathaya reference, as well as the balance of the cited art.

Attorney for Applicant may be contacted at (248) 647-6000 with any questions the Examiner may have.

Respectfully submitted,



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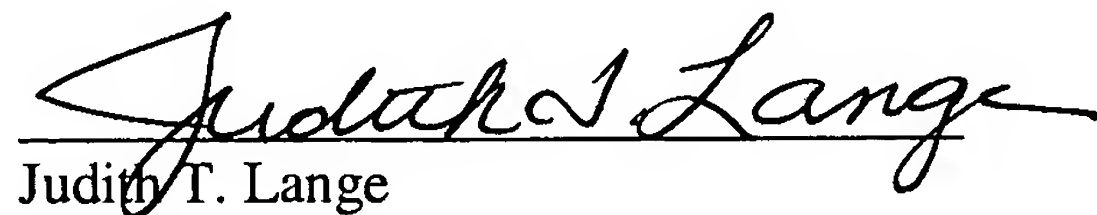
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Judith T. Lange

**AMENDMENTS TO THE DRAWINGS**

Applicant encloses herewith corrected replacement sheets 1 and 3-10 which address the drawing objections noted on page 2, paragraph 2 of the Examiner's Office Action. In particular, recliner bushing 108 has been renumbered as bushing 109 in order to avoid duplicate numbering with the elongated rivet arm 108. Approval of the proposed drawing revisions is respectfully requested.